THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.3405 OF 2006

ORAL ORDER:

The petitioner is working in the A.P. State Road Transport Corporation as a conductor. On a complaint that the certificate issued by the Mandal Revenue Officer, Narmetta, in which the petitioner's social status was shown as SC was not genuine, an enquiry was initiated and aggrieved by the same, the petitioner filed W.P.No.3321 of 2001. The said writ petition was disposed of by order dated 11.3.2004, giving liberty to the respondents to take further steps as they deemed fit and proper. Pursuant thereto, the District Level Scrutiny Committee, issued a notice in Form-VI dated 30.5.2004, calling upon the petitioner to attend the enquiry for verification of the community certificate. The petitioner states that though he attended the enquiry, no proceedings were taken up, and again another notice dated 7.7.2004 was issued, in response to which, the petitioner attended the enquiry on 16.7.2004. Even on that day, no proceedings were taken up and one more notice dated 21.7.2004 was issued. The petitioner accordingly, attended the enquiry on 31.1.2004, but the enquiry was not concluded and, once again, the respondents issued Form-VI notice dated 25.1.2006 calling upon the petitioner to attend the enquiry on 30.1.2006. The petitioner attended the enquiry, however, the same was postponed. Aggrieved by the said action, this writ petition is filed seeking a declaration that the action of the respondents in repeatedly issuing notices and not completing the enquiry as arbitrary and illegal.

In the counter-affidavit filed by the District Revenue Officer & Addl. District Magistrate, Warangal, who is the Chairman of the District Level Scrutiny Committee, it is stated that the delay was not deliberate, but only due to preoccupation with various governmental programmes.

The petitioner filed a reply affidavit stating that as a matter of fact, statement of the petitioner was already recorded on 16.7.2004 and

thereafter the matter was referred to the concerned Mandal Revenue Officer for local enquiry, during which the statements of the villagers and neighbours were recorded. Thus, it is contended that the enquiry has already been completed, but the respondents failed to take further steps.

Having regard to the facts and circumstances, and keeping in view the specific version of the petitioner in the affidavit in reply, that the enquiry has been completed, the writ petition is disposed of with a direction to the District Level Scrutiny Committee to submit its report based on the material available on record, to the competent authority under Section 5 of the Andhra Pradesh (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 1993, for appropriate action in accordance with law. No costs.

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(G. ROHINI, J.)

1st September, 2006.
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THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.3405 OF 2006

1st September, 2006.

Between:

A. Ramulu. .. Petitioner.

And

The District Level Scrutiny Committee and
District Revenue Officer, Warangal, represented by its
Convenor, Office of the District Collector, Warangal
District. .. Respondent.